

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Howard E. Martin, III,

Plaintiff,

v.

Case No. 1:15cv315

State of Ohio,

Judge Michael R. Barrett

Defendant.

**ORDER**

This matter is before the Court on the Report and Recommendation filed by the Magistrate Judge on October 23, 2015 (Doc. 8).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). The Court notes, however, that though such notice was served upon Plaintiff, it was returned to the Court due to Plaintiff's failure to apprise the Court of his change of address (See Doc. 9). By failing to keep the Court apprised of his current address, Plaintiff demonstrates a lack of prosecution of his action.

Accordingly, as there are no objections to the Magistrate Judge's Report and Recommendation (Doc. 8), it is hereby **ORDERED** to be **ADOPTED** thereby **DISMISSING** Plaintiff's Complaint (Doc. 1) for lack of prosecution.

**IT IS SO ORDERED.**

s/Michael R. Barrett

Michael R. Barrett  
United States District Judge